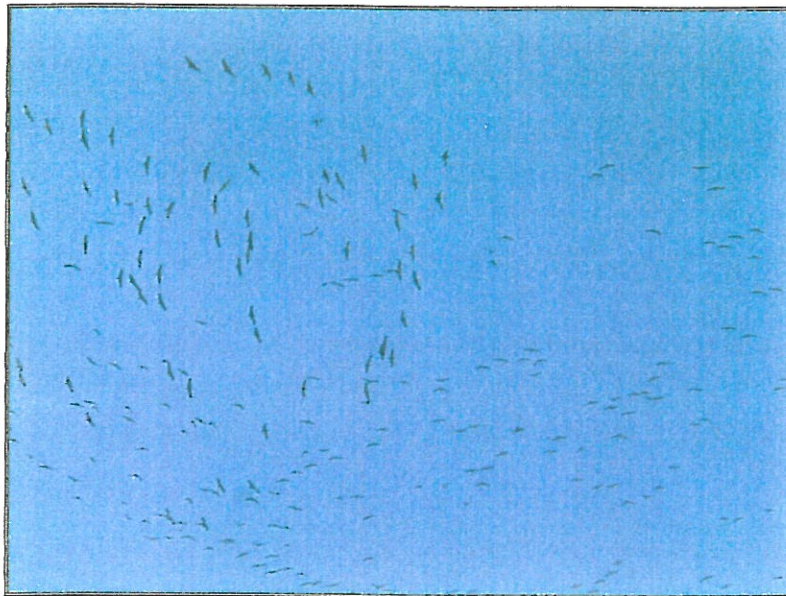


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Yakutat Airport

Wildlife Hazard Management Plan

*in fulfillment of
FAR Part 139.337*



Submitted by:

Alaska Department of Transportation and Public Facilities
Regional Airport Safety and Compliance Office
Southeast Region
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Juneau, Alaska 99801

With assistance from:

United States Department of Agriculture
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AIRPORT NAME:

YAKUTAT

SOUTHEAST REGION WILDLIFE HAZARD MANAGEMENT PLAN

FAA APPROVAL:

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DATE 11-21-13

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AAL-600

FEB 14 2005

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1	Introduction	
2	Authority	
3	Regulations and Permits	
4	Habitat Management	
5	Wildlife Control Procedures	
6	Resources	
7	Training	
8	Evaluation	
9		
10		



FAA AIRPORTS DIVISION
AAL-600

FEB 14 2005

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A	CFR 14, FAR 139.337 (Wildlife Hazard Management)
B	FAA Advisory Circulars/Certalerts
C	Table 3: Federal and State Status of Wildlife Species
D	Current Federal and State Wildlife Control Permits
E	Map of YAK showing Habitat Management Projects
F	Copies of Public Correspondence
G	Grid Map of YAK
H	Wildlife Hazard Log form
I	Wildlife Hazard Management Strategy Development
J	FAA Form 5200-7 and Instructions
K	YAK Wildlife Strike Reports
L	Instructions for Submitting Bird Strike Remains
M	Annual Wildlife Management Reports
N	List of Wildlife Control Suppliers
O	List of Trained Wildlife Control Personnel at YAK
P	NOTAM form
Q	Agency Contacts List
R	
S	
T	
U	
V	
W	
X	
Y	
Z	

TABLE OF CONTENTS

APPROVED

Appendices.....	iii
List of Acronyms.....	iii
1.0 Introduction.....	1-1
1.1 Overview.....	1-1
1.2 Wildlife Strike History.....	1-2
<i>Table 1: Wildlife strikes within 5 miles of YAK from 1990 - present, based on FAA</i>	
<i>wildlife strike reports</i>	1-3
1.3 Problem Species.....	1-3
1.4 Problem Areas.....	1-4
2.0 Authority.....	2-1
2.1 Persons Responsible For Implementing The Plan	2-1
2.2 Persons Responsible For Reviewing The WHMP	2-2
3.0 Regulations and Permits.....	3-1
3.1 14 CFR Part 139.337 (Wildlife Hazard Management) and other FAA Advisory Circulars & Certalerts	3-1
3.2 Laws Regarding Direct Control Of Wildlife	3-1
3.2.1 Federal Regulations	3-1
3.2.1a Migratory Bird Treaty Act (CFR 50, Part 21.43).....	3-2
3.2.1b Bald and Golden Eagle Protection Act (CFR 50, Part 22.23)	3-2
3.2.1c Endangered Species Act (CFR 50, Part 17).....	3-2
3.2.2 State Regulations (AS 16.05.920 and AAC 92.033)	3-3
3.3 Laws Regarding Habitat Modification.....	3-3
3.3.1 Clean Water Act (Section 404)	3-4
3.3.2 Clean Water Act (Section 401)	3-4
3.3.3 Coastal Zone Management Act.....	3-4
3.3.4 Fish Habitat Permit [AS 16.05.840 (Fishway Act) & AS 16.05.870 (Anadromous Fish Act)]	3-4
4.0 Habitat Management.....	4-1
4.1 Overview.....	4-1
4.2 Habitat Management Project Timetable	4-2
<i>Table 2: Habitat Management Projects Prioritized</i>	4-2
4.3 Food/Prey Base Management	4-3
4.3.1 Terrestrial Invertebrates	4-3
4.3.2 Food Handouts	4-4

Wildlife Hazard Management Plan

December 30, 2003
APPROVED

4.3.3 Trash/Debris.....	4-4
4.4 Water Management.....	4-4
4.4.1 Wetlands Management Policy	4-5
4.4.1a Wetlands Mitigation.....	4-5
4.4.2 Drainage Ditches.....	4-6
4.5 Vegetation Management	4-7
4.5.1 Grass Management.....	4-7
4.5.2 Shrub Management	4-8
4.5.3 Woodland Management	4-8
4.6 Structure Management.....	4-9
4.6.1 Airfield Equipment	4-9
4.6.2 Buildings	4-9
5.0 Wildlife Control Procedures	5-1
5.1 Overview.....	5-1
5.2 Roles/Responsibilities.....	5-1
5.2.1 Wildlife Patrol.....	5-1
5.2.2 Wildlife Coordinator	5-2
5.3 Runway Sweeps	5-2
5.4 Control Methods	5-3
5.4.1 Bird Control	5-3
5.4.1a Detection Methods	5-3
5.4.1b Pyrotechnics.....	5-4
5.4.1c Vehicle Harassment	5-5
5.4.1d Propane Cannons	5-5
5.4.1e Lethal Control	5-5
5.4.2 Mammal Control.....	5-7
5.4.2a Detection Methods	5-7
5.4.2b Pyrotechnics.....	5-7
5.4.2c Vehicle Harassment	5-7
5.4.2d Lethal Control	5-8
5.5 Record Keeping	5-8
5.5.1 Wildlife Hazard Log	5-8
5.5.2 Wildlife Strike Reporting.....	5-8
5.5.3 Annual Permit Reporting	5-10
5.6 Communications	5-11
5.6.1 Juneau Flight Service Communications.....	5-11
5.6.2 General Procedures	5-11
5.6.3 Public Communications	5-12
6.0 Resources	6-3

FEB 14 2005

Wildlife Hazard Management Plan

December 30, 2003

APPROVED

7.0 Training	7-1
7.1 Overview.....	7-1
7.2 USDA-Wildlife Services Training.....	7-1
 8.0 Evaluation	 8-1

Appendices

- A. 14 CFR, FAR 139.337 (Wildlife Hazard Management)
- B. FAA Advisory Circulars/Certalerts pertaining to Wildlife Hazard Management
- C. Federal and State Status of Wildlife Species
- D. Current Federal and State Wildlife Control Permits and Migratory Bird List
- E. Map of YAK showing Habitat Management Projects
- F. Copies of Public Correspondence
- G. Grid Map of YAK
- H. Wildlife Hazard Log Form
- I. Wildlife Hazard Management Strategy Development
- J. FAA Form 5200-7 (Bird/Other Wildlife Strike Report), and Instructions
- K. YAK Wildlife Strike Reports
- L. Instructions for Submitting Bird Strike Remains to the Smithsonian
- M. Annual Wildlife Management Reports
- N. List of Wildlife Control Suppliers
- O. List of Trained Wildlife Control Personnel at YAK
- P. NOTAM form
- Q. Agency Contacts List

List of Acronyms

AAC	Alaska Administrative Code
AC	Advisory Circular
ACMP	Alaska Coastal Management Program
ACOE	Army Corps of Engineers
ADFG	Alaska Department of Fish and Game
AKDOT&PF	Alaska Department of Transportation and Public Facilities
AOA	Aircraft Operations Area
AS	Alaska Statute
CFR	Code of Federal Regulations
dbh	Diameter at Breast Height
DGC	Alaska Division of Governmental Coordination
DEC	Alaska Department of Environmental Conservation
EA	Environmental Assessment

Wildlife Hazard Management Plan

FAA AIRPORTS DIVISION
AAL-600 *MD*
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December 30, 2003

FAA	Federal Aviation Administration
FAR	Federal Aviation Regulations
ICAO	International Civil Aviation Organization
IPM	Integrated Pest Management
NOTAM	Notice to Airmen
USFWS	United States Fish and Wildlife Service
WHA	Wildlife Hazard Assessment
WHAG	Wildlife Hazard Advisory Group
WHMP	Wildlife Hazard Management Plan
WS	USDA, Wildlife Services program
YAK	Yakutat Airport

Cover page: Photograph of migrating sandhill cranes circling several hundred feet (AGL) above YAK on April 26, 2002. Credit: Verne Skagerberg, AKDOT&PF.

1.0 INTRODUCTION

1.1 OVERVIEW

The Yakutat Airport (YAK) has contended with wildlife hazards for many years. Its location along a coastal plain of the Gulf of Alaska presents challenges for airport management charged with maintaining a safe aircraft operating environment in the face of dynamic populations of resident and migratory wildlife. This area, called the Yakutat Forelands, is rich with wetlands and abundant bird and mammal populations. Over the years, aircraft operating at YAK have experienced collisions with wildlife; an event termed a wildlife strike. Many species of wildlife known to cause damage to aircraft occur with enough frequency at YAK to be considered a wildlife hazard. A wildlife hazard is defined as: *The potential for a damaging collision between wildlife and aircraft on or near an airport.* Due to the potential for a catastrophic result from a wildlife strike, the Federal Aviation Administration (FAA) required the airport to conduct a formal Wildlife Hazard Assessment (WHA). The WHA was completed in October of 1999 and serves as the basis for this Wildlife Hazard Management Plan (WHMP). The WHA identified wildlife species (birds and mammals) which pose a regular hazard to aircraft and the habitat components on and surrounding the airport which attract these species.

YAK has long maintained a program for the regular dispersal of birds prior to air carrier aircraft movements. While these efforts have probably helped to reduce the number of wildlife strikes, the WHA identified several areas of the program which can be changed to help reduce the potential for wildlife strikes even further. The WHA also provided recommendations for habitat modification which should reduce the attractiveness of the airfield to the most problematic species. The objective of this WHMP is to set forth a well-defined set of policies, goals, and standards by which wildlife hazards can be effectively reduced.

This WHMP sets forth the policies and procedures regarding wildlife hazard management at YAK. Using the recently completed WHA as a guideline, it defines habitat management objectives and wildlife control procedures which will help to reduce the potential for a damaging collision between wildlife and aircraft operating at YAK. This WHMP fulfills the legal requirements of 14 CFR Part 139.337 (e) (a complete copy of Part 139.337 is attached as Appendix A). The WHMP must include 7 required components according to 14 CFR Part 139.337 (e) and are as follows:

1. The persons who have the authority and responsibility for implementing the plan.
2. Priorities for needed habitat modification and changes in land use identified in the ecological study, with target dates for completion.
3. Requirements for and where applicable, copies of local, state, and federal wildlife control permits.



4. Identification of resources to be provided by the certificate holder for implementation of the plan.
5. Procedures to be followed during air carrier operations, including at least -
 - (i) Assignment of personnel responsibilities for implementing the procedures;
 - (ii) Conduct of physical inspections of the movement area and other areas critical to wildlife hazard management sufficiently in advance of air carrier operations to allow time for wildlife controls to be effective;
 - (iii) Wildlife control measures; and
 - (iv) Communication between the wildlife control personnel and any air traffic at the airport.
6. Periodic evaluation and review of the wildlife hazard management plan for -
 - (i) Effectiveness in dealing with the wildlife hazard; and
 - (ii) Indication that the existence of the wildlife hazard, as previously described in the ecological study, should be reevaluated.
7. A training program to provide airport personnel with the knowledge and skills needed to carry out the wildlife hazard management plan required by Part 139.337(d).

In addition to the requirements stated above, CFR 14 Part 139.337(f) requires that an airport take immediate measures to alleviate wildlife hazards whenever they are detected. Section (f) is extremely important because it allows the WHMP to be promptly modified and updated to address new situations or changing circumstances. To augment compliance with Part 139.337(e), the FAA issued a Certalert (No. 97-09 [see Appendix B]) to provide guidance to airports in developing their plans. This Certalert contains a sample outline that was followed in the development of this plan.

1.2 WILDLIFE STRIKE HISTORY

A record of wildlife strikes provides a starting point for understanding wildlife hazards at an airport. While some strikes may have gone unreported over the years, those reported provide valuable information which can be used to help resolve current wildlife hazards. At YAK, thirteen wildlife strikes have been reported to the FAA since 1990. Most strikes occurred during the months of late July, August, September, and early October; a time when salmon are migrating up streams located on airport property. Five of the strikes involved birds which feed on salmon, eagles and gulls. Airport management has opted to maintain its vigilant efforts to detect and disperse hazardous wildlife throughout the year.

The following table will be used as an ongoing documentation of the wildlife strikes at YAK reported to the FAA via Form 5200-7 *Bird/Other Wildlife Strike Report*. It will be updated at

Yakutat Airport, Yakutat, AK

1-2

FAA AIRPORTS DIVISION



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least annually upon receipt of a wildlife strike report by the airport Wildlife Coordinator, or based on updates to the FAA wildlife strike database. This is a voluntary reporting system and places no requirement on aircraft operators or others to report wildlife strikes. However, YAK will make every effort to ensure the timely and accurate completion of a wildlife strike report for every wildlife strike of which it becomes aware. Further guidance for airport personnel regarding wildlife strike reporting is provided under Chapter 5.5.2 of this plan. The YAK wildlife strike record will be provided to those who file a written request to the Airport Safety/Compliance Officer.

Table 1. Wildlife strikes within 5 miles of YAK from 1990 - present, based on FAA wildlife strike reports.

Incident Date	Airport	State	FAA Region	Operator	Aircraft	Damage Code*	Species**
<u>08-17-1991</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737	N	BALD EAGLE
<u>08-21-1991</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737	N	GULLS
<u>09-06-2000</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-200	N	WILSON'S SNIPE
<u>10-07-2002</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-200	N	GULLS
<u>07-22-2004</u>	YAKUTAT ARPT (PAYA)	AK	AAL	BUSINESS	B-737-200	N	SWALLOWS
<u>08-30-2004</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-200	N	SWALLOWS
<u>09-03-2004</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-200	S	UNKNOWN BIRD - MEDIUM
<u>09-08-2004</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-200	N	UNKNOWN BIRD - MEDIUM
<u>12-23-2005</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-400	M	SNOWY OWL
<u>07-18-2007</u>	YAKUTAT ARPT (PAYA)	AK	AAL	BUSINESS	LEARJET-35	M	BALD EAGLE
<u>09-17-2008</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-400	S	HERRING GULL
<u>11-08-2010</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-400	N	BALD EAGLE
<u>04-30-2011</u>	YAKUTAT ARPT (PAYA)	AK	AAL	ALASKA AIRLINES	B-737-400	N	CANADA GOOSE

* Damage Codes (Civilian) - N (None), M (Minor), S (Substantial), and D (Destroyed).



1.3 PROBLEM SPECIES

Wildlife that present the greatest threats to aircraft at YAK are birds with flocking tendencies or of relatively large size, such as gulls, shorebirds, waterfowl, and raptors and large mammals. Geese, eagles, moose, coyotes, and bear represent a significant hazard due to their large body mass and will not be tolerated on the airport for any length of time. Beavers, which generally do not present a direct threat of collision with aircraft, create habitat attractive to other hazardous species due to their damming activities. Juvenile animals and migratory species pose higher risks for wildlife strikes because of their general unfamiliarity with the airport environs. Wildlife hazard management will focus on the species previously mentioned, but may include others as needed. The need to target other hazardous wildlife will be identified during daily wildlife hazard monitoring efforts and will be included in annual updates of the WHMP.

1.4 PROBLEM AREAS

YAK is surrounded on all sides by wetlands which are interspersed with forested areas. A network of water-filled ditches and streams run through the airport and are connected with these surrounding wetlands. These ditches and streams are some of the most attractive areas at YAK. Coho salmon make annual runs up these streams and into the ditches which run parallel to both runways at YAK, thus attracting fish-eating birds and mammals. Waterfowl and shorebirds are also attracted to these water bodies. Open grass areas border both runways and ramp areas and are attractive to a variety of hazardous species. Surrounding willow shrub thickets provide browse for moose, while wooded areas provide cover for both moose and bear. Habitat management projects will focus primarily on water management (e.g., ditches and streams) and infield grass management. Other problem areas including hangars and airport facilities will also be covered in the habitat management chapter. By eliminating problem areas and habitats on the airport, the need for wildlife population control and/or time-consuming wildlife control measures should eventually be reduced.



CFR 14, FAR Part 139.337 (e)

- 1. The persons who have the authority and responsibility for implementing the plan.*

FAA AIRPORTS DIVISION
AAL-600

MD
FEB 14 2005

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2.0 AUTHORITY

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The WHMP will be executed through the authority of the YAK Airport Manager who bears the responsibility according to CFR 14 Part 139.337. This regulation asserts that the certificate holder is the party responsible for wildlife hazard management at the airport. The YAK Airport Manager derives his authority directly from the Alaska Department of Transportation and Public Facilities (AKDOT&PF) as the person responsible for the daily maintenance and safe operating conditions of YAK. Safety is thus the primary concern driving wildlife hazard management operations. Wildlife hazard mitigation will take priority over other routine maintenance operations in the event that the immediate safety of passengers and/or aircraft are threatened. The goal of all authority derived from this WHMP is to increase the safety of passengers and aircraft operating at YAK.

Two groups of people bear responsibilities pertaining to the WHMP. The first group are those with direct responsibility for implementing the plan at YAK. The second group are those belonging to the Wildlife Hazard Advisory Group (WHAG), whose responsibility is to provide oversight and suggestions for improving the WHMP.

2.1 PERSONS RESPONSIBLE FOR IMPLEMENTING THE PLAN

1. Wildlife Coordinator (YAK Airport Manager)
2. Wildlife Patrol (Field Maintenance Personnel)
3. Airport Safety/Compliance Officer

All persons listed above must communicate to the Wildlife Coordinator *immediately* upon observation of any of the following conditions (contact information for the YAK Wildlife Coordinator is listed below):

- § A change in airfield conditions resulting in a sudden increase in wildlife numbers on the airport (this could include weather conditions, salmon runs, etc.).
- § The report of a damaging wildlife strike.
- § The observation of new hazardous wildlife species not currently listed on state and federal wildlife control permits.

WILDLIFE COORDINATOR (AIRPORT MANAGER)

- § Supervise, coordinate, and monitor wildlife control activities as outlined in the WHMP (Chapter 5).
- § Conduct wildlife control activities as needed.
- § Maintain written records of all wildlife control activities and ensure that they are entered into a computer database on a regular basis.



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- \$ Report all wildlife strikes to the FAA using Form 5200-7 or online via the wildlife strike reporting website.
- \$ Maintain an adequate supply of pyrotechnics, ammunition, firearms, propane tanks, and other equipment necessary to conduct daily wildlife control operations.
- \$ Maintain cooperative relationship with local representative of ADF&G and airport tenants.
- \$ Implement habitat management goals according to the timetable in Chapter 4.2.

AIRPORT SAFETY/COMPLIANCE OFFICER

- \$ Provide oversight for all aspects of the WHMP including public relations, wildlife control operations, and habitat management.
- \$ Secure state and federal wildlife control permits for wildlife control operations.
- \$ Review the WHMP periodically and update as necessary.
- \$ Review designs of new structures/facilities with a Wildlife Damage Biologist during the planning stages for input on designs that are unattractive to wildlife.
- \$ Submit annual reports of wildlife management activities to ADF&G and USFWS.

WILDLIFE PATROL

- \$ Carry out daily runway sweeps and wildlife control actions according to the schedule outlined in Chapter 5.3.
- \$ Report all wildlife strikes to the Wildlife Coordinator.
- \$ Implement habitat modification goals under the direction of the Wildlife Coordinator.
- \$ Remove carcasses or food debris that may attract scavenging wildlife.
- \$ Record all wildlife control actions on an airport wildlife control data sheet.
- \$ Report sudden increases in wildlife numbers to the Wildlife Coordinator immediately.

2.2 PERSONS RESPONSIBLE FOR REVIEWING THE WHMP

Members of this group are referred to collectively as the Wildlife Hazard Advisory Group
Yakutat Airport, Yakutat, AK



(WHAG). The overall purpose of including the following groups as part of the WHAG is to ensure that they are made aware of the airport's plan and commitment to reducing wildlife hazards at YAK. In addition, members of the WHAG may have authoritative oversight (for example, the FAA) or an operational need to be aware of YAK's wildlife control procedures.

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WILDLIFE COORDINATOR

- \$ Conduct a periodic review of the WHMP along with the Airport Safety/Compliance Officer to determine if changes are needed.
- \$ Suggest changes to Wildlife Control Procedures and Habitat Management sections as needed.

AIRPORT SAFETY/COMPLIANCE OFFICER

- \$ Conduct a periodic review of the WHMP along with the Wildlife Coordinator to determine if changes are needed.
- \$ Provide an up-to-date version of the WHMP to all members of the WHAG.
- \$ Provide the most recent state and federal wildlife control permits for the WHMP.
- \$ Update the list of personnel trained in wildlife control procedures.

AKDOT&PF AIRPORT PLANNER

- Review the WHMP for consistency with other airport projects, particularly those involving habitat management to avoid the creation of a hazardous wildlife attractant.
- Participate in reviews of proposed land use changes for YAK and surrounding area to avoid the creation of hazardous wildlife attractants.

WILDLIFE DAMAGE BIOLOGIST

- \$ Inform and advise the Wildlife Coordinator of new or improved wildlife hazard management techniques and tools.
- \$ Provide advice for wildlife control personnel regarding wildlife species identification, proper use of control techniques, and wildlife strike reporting.
- \$ Train all wildlife control personnel in bird identification and the safe handling and proper use of wildlife dispersal methods and equipment.



October 28, 2004

- § Assist YAK in reviewing proposed land use changes, construction plans, and mitigation projects for potential wildlife hazards to aircraft.
- § Provide any necessary assistance in reviewing and editing the WHMP.

USFWS MIGRATORY BIRD PERMITS BIOLOGIST

- Review the WHMP (at the request of the Airport Safety/Compliance Officer) to ensure compliance with federal wildlife laws.

ALASKA AIRLINES OPERATIONS MANAGER

- § Review the WHMP (at the request of the Airport Safety/Compliance Officer) to ensure consistency with aircraft operational procedures.
- § Communicate all wildlife strikes to the Wildlife Coordinator immediately.

ADF&G AREA HABITAT & WILDLIFE BIOLOGISTS

- § Review the WHMP (at the request of the Airport Safety/Compliance Officer) to ensure compliance with state wildlife laws.

FAA AIRPORT CERTIFICATION SAFETY INSPECTOR

- § Review changes or edits to the WHMP to ensure compliance with FAR 139.337 (e) and suggest changes to ensure compliance with FAR 139.337 (e).
- § Assist YAK in reviewing proposed land use changes, construction plans, and mitigation projects for potential wildlife hazards to aircraft.

FAA AIRPORTS DIVISION

AAL-600

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FEB 14 2005

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CFR 14, FAR Part 139.337 (e)

3. *Requirements for and where applicable, copies of local, state, and federal wildlife control permits.*

FAA AIRPORTS DIVISION
AAL-600

MD
FEB 14 2005

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3.0 REGULATIONS AND PERMITS

3.1 14 CFR PART 139.337 (WILDLIFE HAZARD MANAGEMENT) and other FAA ADVISORY CIRCULARS & CERTALERTS

The FAA is responsible for enforcing 14 CFR Part 139.337. This regulation sets forth the federal requirements for wildlife hazard management at airports. It details the items which should be included in both a WHA and a WHMP. YAK satisfied parts 139.337(a) through (c) with the recent completion of a WHA performed by WS. This WHMP, when submitted, will satisfy parts 139.337(d) through (f) of the federal requirements for wildlife hazard management at airports and is on file with the FAA in Anchorage, Alaska. Compliance with 14 CFR Part 139.337 is required by the FAA for continued certification of YAK's Airport Operating Certificate. A complete copy of these regulations is provided in Appendix A.

The FAA issued a group of Advisory Circulars (ACs) and Certalerts pertaining to wildlife hazards. These documents are often used by the FAA and airport management to provide specific guidance regarding local land uses. While these documents do not carry the full effect of law, they are used by the FAA and airports as policy guides. YAK will comply with these ACs and Certalerts to the fullest extent possible. These documents are frequently changed or updated, and their current status will be verified on a regular basis. This will be accomplished by contacting the FAA directly or by visiting their website at <http://wildlife-mitigation.tc.faa.gov>. A copy of all applicable FAA wildlife hazard documents is included in Appendix B and will be updated annually to reflect the most recent revisions to these documents.

A variety of techniques are necessary to reduce the wildlife hazards at YAK. Most techniques fall into two categories: direct control of individual animals (this includes the harassment and in some cases the lethal take of animals) and habitat manipulation. The following sections briefly describe the regulations which govern these two categories of techniques.

3.2 LAWS REGARDING DIRECT CONTROL OF WILDLIFE

3.2.1 Federal Regulations

The following three federal laws may apply to specific wildlife control methods that involve the harassment, trapping, and/or killing of wildlife. Each one provides protection to certain groups of wildlife and requires federal authority for certain actions. State laws may impose additional restrictions and requirements for these same groups of wildlife. YAK currently has a federal depredation permit for control actions that ensures compliance with these laws. A copy of all wildlife control permits is maintained in Appendix D. The Airport Safety/Compliance Officer is responsible for maintaining all federal and state wildlife control permits and for submitting annual reports to all applicable agencies. The number in parentheses is the reference number detailing the permitting aspects of that particular law.



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3.2.1a Migratory Bird Treaty Act (50 CFR, Part 21.41)

The Migratory Bird Treaty Act (MBTA) protects most birds, their nests and eggs, from being destroyed or possessed without a permit. A federal depredation permit (50 CFR, Part 21.41) is required under the MBTA for airport personnel to kill or possess any species of birds listed in 50 CFR 10. In addition, federal permits are required to harass (scare or herd) birds listed as threatened or endangered under the Endangered Species Act, or bald or golden eagles, which have additional protection under the Bald and Golden Eagle Protection Act (see section 3.2.1b). The State of Alaska also requires permits for harassing or killing ANY birds (see section 3.2.2 on State Regulation).

YAK has a federal depredation permit to kill certain species of birds based on recommendations from WS (Appendix D), a federal eagle depredation permit to haze eagles, and a state permit to kill and haze birds (Appendix D). YAK does not have a permit to haze or kill any threatened or endangered species. These permits require an annual report detailing the number of birds "taken" (killed or hazed, depending on the permit) under the permit. The guidelines for annual reporting are discussed in Chapter 5.5.3.

When the airport requests additional species or number of birds to be added to the permits, it will do so in writing to each agency. In addition, YAK will request that WS send the agency a completed Form 37 (Migratory Bird Damage Project Report) to verify the need to kill additional birds. A current copy of the federal depredation permit will be kept by persons conducting bird harassment actions at YAK.

3.2.1b Bald and Golden Eagle Protection Act (50 CFR, Part 22.23)

This law prevents bald and golden eagles, their nests, and their eggs, from being either harassed or killed without a permit. An eagle depredation permit may be issued by the USFWS for the alleviation of hazards to aircraft safety. YAK has a current eagle depredation permit which allows the harassment of bald eagles on the airport using noise-making devices, but prohibits the killing, injuring, or capturing of eagles. This permit requires that an annual report detailing the numbers of eagles harassed on airport property and the methods used be submitted to the USFWS. Chapter 5.5.3 of this plan describes the annual reporting procedures followed by YAK. A copy of this permit will be kept by persons conducting eagle harassment actions at YAK. The State of Alaska also has special requirements for the harassment of bald eagles. These requirements are listed in Chapter 3.2.2.

3.2.1c Endangered Species Act (50 CFR, Part 17)

The Endangered Species Act prohibits the harassment, trapping, and killing of wildlife species listed as endangered or threatened. The Endangered Species Act also affords protection to the



FEB 14 2005

December 30, 2003

habitat of listed species. The harassment and killing of listed species may be allowed under certain circumstances. However, a special permit for such actions must be issued by the USFWS prior to any actions involving listed species. YAK does not currently have any federally listed threatened or endangered species which normally occur on the airport. As such, neither direct control efforts nor habitat modification techniques should have any impact on federally listed species for Alaska. Therefore, no special permit regarding such species is needed at YAK.

The State of Alaska maintains a list of wildlife species which are listed as either endangered, threatened, or species of concern. The state listing is further discussed under section 3.2.2. A table showing the federal and state status of listed wildlife species is provided in Appendix C. This table will be monitored and updated on a regular basis by the Wildlife Coordinator. All personnel involved in direct wildlife control operations will be trained in the proper identification of the wildlife species which are listed in Appendix C. In the event that any of these species is observed on the airfield, the wildlife coordinator will be notified immediately so that any impacts to said species can be avoided. If a wildlife hazard should arise as the result of a federally or state listed wildlife species, the wildlife coordinator will alert the proper agencies as soon as possible to coordinate the best course of action to alleviate such hazard while minimizing impacts to the listed species.

3.2.2 State Regulations (AS 16.05.920 and AAC 92.033)

The taking (the definition of which includes both harassment and lethal removal) of game at YAK is regulated by Alaska Statute 16.05.920 PROHIBITED CONDUCT GENERALLY and Title 5 Alaska Administrative Code 92.033 PERMIT FOR SCIENTIFIC, EDUCATIONAL, PROPAGATIVE, OR PUBLIC SAFETY PURPOSES. The state list of endangered species is maintained under Title 5 Alaska Administrative Code 93.020. All wildlife species which occur at YAK are considered "game" species by Alaska law. A public safety permit for the taking of game species at YAK is necessary for all direct wildlife control operations. The airport currently has a public safety permit for this purpose which details the species which can be killed as well as harassed. This permit is included in Appendix D. Appendix C lists the state status of wildlife species which are classified as endangered or special concern. A copy of current state Public Safety Permits will be carried by personnel conducting wildlife harassment actions. An annual report will be submitted to ADF&G following the guidelines stated in Chapter 5.5.3 of this plan.

3.3 LAWS REGARDING HABITAT MODIFICATION

The following laws pertain to wildlife control activities that call for a modification of some aspect of the legally protected environment at YAK. Water bodies, including ponds, creeks, and wetlands, are habitats which may require permits from a governing agency before modification can take place. Since this WHMP identifies several wetland areas as the target of habitat modification objectives, the following laws will be adhered to by the airport to ensure legal compliance with local, state, and federal requirements. The Wildlife Coordinator should contact



FEB 14 2005

Wildlife Hazard Management Plan

December 30, 2003

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the AKDOT&PF Southeast Region's environmental section if fill permits are needed.

3.3.1 Clean Water Act (Section 404)

Section 404 of the Clean Water Act regulates the placement of dredged or fill materials in the waters of the U.S., including wetlands. The U.S. Army Corps of Engineers (ACOE) is responsible for enforcing this regulation and has established a permitting process for activities which may affect wetlands. Generally, the filling of wetlands or alteration of wetlands falls under the protection of this regulation. It has been determined that the hand clearing of surface vegetation from wetlands does not require a permit, whereas grubbing (mechanical land clearing) would require a permit. The loss of wetlands due to habitat modification activities may require mitigation measures. Any such mitigation measures will be consistent with the airport's policy regarding wetlands stated in Chapter 4.4.1 of this plan. General guidance for obtaining necessary permits and consultation on wetlands designation should be obtained through the AKDOT&PF Southeast Region's environmental section.

3.3.2 Clean Water Act (Section 401)

Section 401 of the Clean Water Act requires certification that the proposed project will meet state water quality standards before federal permits are approved. This regulation covers projects affecting waters of the U.S., including wetlands. The Alaska Department of Environmental Conservation (DEC) is responsible for enforcing this regulation.

3.3.3 Coastal Zone Management Act

This federal regulation is implemented through the Alaska Coastal Management Program (ACMP) by the Alaska Division of Governmental Coordination (DGC). It establishes a consistency review process by which projects in the coastal zone are found compatible with state and local water quality standards, wetlands programs, and other coastal regulations. Coordination with DGC on airport habitat modification activities is only necessary if the activity requires two or more state permits or any federal permits (such as a wetland permit from ACOE). However, the consistency review process itself can serve to streamline coordination with pertinent regulatory agencies. The consistency review process can also help determine if permits from other agencies are needed in the first place. AKDOT&PF Southeast Region's environmental staff will determine if DGC should be consulted.

3.3.4 Fish Habitat Permit [AS 16.05.840 (Fishway Act) and AS 16.05.870 (Anadromous Fish Act)]

These two Alaska statutes require that prior authorization be obtained from the Alaska Department of Fish and Game (ADF&G) for activities that could affect fish habitat and fish passage in freshwater streams. The Anadromous Fish Act covers catalogued anadromous fish



December 30, 2003

habitat and the Fishway Act covers areas with resident fish passage. Several of the habitat management projects at YAK may require permits under this regulation.

FAA AIRPORTS DIVISION
AAL-600 *MD*

FEB 14 2005

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DEPARTMENT OF THE INTERIOR
U S FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE PERMIT

1 PERMITTEE

ALASKA DEPT. OF TRANSP. & PUBLIC FAC.
SOUTHEAST REGION - YAKUTAT AIRPORT
(ATTN: PAUL KHERA)
P.O. BOX 112506
JUNEAU, AK 99811-2506
U.S.A.

2 AUTHORITY-STATUTES
16 USD 703-712

REGULATIONS
50 CFR Part 13
50 CFR 21.41

3 NUMBER
MB023404-0

4 RENEWABLE

☒ YES
☐ NO

5 MAY COPY

☒ YES
☐ NO

6 EFFECTIVE
04/01/2013

7 EXPIRES
03/31/2014

8 NAME AND TITLE OF PRINCIPAL OFFICER (If = 1 is a business)

PAUL KHERA
REGIONAL AIRPORT SAFETY/SECURITY OFFICER

9 TYPE OF PERMIT

DEPREDAATION AT AIRPORTS

10 LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

YAKUTAT AIRPORT,
YAKUTAT, ALASKA

11 CONDITIONS AND AUTHORIZATIONS

A GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS

B THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL, TRIBAL, OR OTHER FEDERAL LAW.

C VALID FOR USE BY PERMITTEE NAMED ABOVE

D. You must have written authority from the Alaska department of Fish and Game, Juneau, Alaska before exercising any of the authorities granted by this permit.

E. You are authorized to take, temporarily possess, and transport the migratory birds specified below to relieve or prevent injurious situations impacting public safety. All take must be done as part of an integrated wildlife damage management program that emphasizes nonlethal management techniques. You may not use this authority for situations in which migratory birds are merely causing a nuisance.

(1) The following may be lethally taken: Minimum number and species.

(2) The following may be live-trapped and relocated: Minimum number and species.

(3) The following active nests (including eggs) may be destroyed: Minimum number and species.

F. You are authorized in emergency situations only to take, trap, or relocate any migratory birds, nests and eggs, including species that are not listed in Condition E (except bald eagles, golden eagles, or endangered or threatened species) when the migratory birds, nests, or eggs are posing a direct threat to human safety. All take must be done as part of an integrated wildlife damage management program that emphasizes minimum number of birds required to eliminate the threat to aircraft, non-lethal management techniques and habitat alteration. A direct threat to human safety is one which involves a threat of serious bodily injury or a risk to human life. Permittee must contact the USFWS Permit Office (907-786-3693) within 48 hours when the total lethal take of any raptor species exceeds three birds.

You must report any emergency take activity to your migratory bird permit issuing office at 907-786-3693 within 72 hours after the emergency take action. Your report must include the species and number of birds taken, method, and a complete description of the circumstances warranting the emergency action.

☒ ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12 REPORTING REQUIREMENTS

Annual reports are due by January 31 of each year and the forms are available on the Internet at:

<http://www.fws.gov/permits/applicationforms/ApplicationA.shtml#reports> or

<http://www.fws.gov/forms/display.cfm?number1=200> or

<http://www.fws.gov/permits/>

ISSUED BY

TITLE

PERMIT SPECIALIST, MIGRATORY BIRD PERMIT OFFICE - REGION 7

DATE

02/21/2013

FAA AIRPORTS APPROVAL
NEW AND DATE 3-4-13

G. You are authorized to salvage and temporarily possess migratory birds found dead or taken under this permit for (1) disposal, (2) transfer to the U.S. Department of Agriculture, (3) diagnostic purposes, (4) purposes of training airport personnel, (5) donation to a public scientific or educational institution as defined in 50 CFR 10.12, (6) donation to persons authorized by permit or regulation to possess them, or (7) donation of migratory game birds only to a public charity (those suitable for human consumption). Any dead bald eagles or golden eagles salvaged must be reported within 48 hours to the National Eagle Repository at (303) 287-2110 and to the migratory bird permit issuing office at 907-786-3693. The Repository will provide directions for shipment of these specimens.

H. You may not salvage and must immediately report to U.S. Fish and Wildlife Service Office of Law Enforcement any dead or injured migratory birds that you encounter that appear to have been poisoned, shot, electrocuted, have collided with industrial power generation equipment, or were otherwise killed or injured as the result of potential criminal activity. See USFWS OLE contact information below.

I. You may use the following methods of take: (1) firearms; (2) nets; (3) registered animal drugs (excluding nicarbazin), pesticides and repellents; (4) falconry abatement; and (5) legal lethal and live traps (excluding pole traps). Birds caught live may be euthanized or transported and relocated to another site approved by the appropriate State wildlife agency, if required. When using firearms, you may use rifles or air rifles to shoot any bird when you determine that the use of a shotgun is inadequate to resolve the injurious situation. You may use paint ball guns to haze birds or deter birds only when other methods of hazing are ineffective.

Anyone who takes migratory birds under the authority of this permit must follow the American Veterinary Medical Association Guidelines on Euthanasia when euthanization of a bird is necessary (http://www.avma.org/issues/animal_welfare/euthanasia.pdf).

J. You may temporarily possess and stabilize sick and injured migratory birds and immediately transport them to a federally licensed rehabilitator for care.

K. The following subpermittees are authorized: Designated employees of Alaska Department of Transportation and Public Facilities under the direct supervision of Aviation Safety and Security Officer Paul Khara and designated employees of USDA Wildlife Services.

In addition, any other person who is (1) employed by or under contract to you for the activities specified in this permit, or (2) otherwise designated a subpermittee by you in writing, may exercise the authority of this permit.

L. You and any subpermittee(s) must comply with the attached Standard Conditions for Migratory Bird Depredation Permits. **These standard conditions are a continuation of your permit conditions and must remain with your permit.**

For suspected illegal activity, immediately contact USFWS Law Enforcement at: 907-786-3311 or 800-858-7621



Standard Conditions Migratory Bird Depredation Permits 50 CFR 21.41

All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR part 21.41 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit. The standard conditions below are a continuation of your permit conditions and must remain with your permit. If you have questions regarding these conditions, refer to the regulations or, if necessary, contact your migratory bird permit issuing office. For copies of the regulations and forms, or to obtain contact information for your issuing office, visit: <http://www.fws.gov/migratorybirds/mbpermits.html>.

1. To minimize the lethal take of migratory birds, you are required to continually apply non-lethal methods of harassment in conjunction with lethal control.
[Note: Explosive Pest Control Devices (EPCDs) are regulated by the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). If you plan to use EPCDs, you require a Federal explosives permit, unless you are exempt under 27 CFR 555.141. Information and contacts may be found at <http://www.atf.gov/explosives/how-to/become-an-fel.htm>.]

2. Shotguns used to take migratory birds can be no larger than 10-gauge and must be fired from the shoulder. You must use nontoxic shot listed in 50 CFR 20.21(j).
3. You may not use blinds, pits, or other means of concealment, decoys, duck calls, or other devices to lure or entice migratory birds into gun range.
4. You are not authorized to take, capture, harass, or disturb bald eagles or golden eagles, or species listed as threatened or endangered under the Endangered Species Act found in 50 CFR 17, without additional authorization.

For a list of threatened and endangered species in your state, visit the U.S. Fish and Wildlife Service's Threatened and Endangered Species System (TESS) at: <http://www.fws.gov/endangered>.

5. If you encounter a migratory bird with a Federal band issued by the U.S. Geological Survey Bird Banding Laboratory, Laurel, MD, report the band number to 1-800-327-BAND or <http://www.reportband.gov>.
6. This permit does not authorize take or release of any migratory birds, nests, or eggs on Federal lands without additional prior written authorization from the applicable Federal agency, or on State lands or other public or private property without prior written permission or permits from the landowner or custodian.
7. Unless otherwise specified on the face of the permit, migratory birds, nests, or eggs taken under this permit must be:
 - (a) turned over to the U.S. Department of Agriculture for official purposes, or
 - (b) donated to a public educational or scientific institution as defined by 50 CFR 10, or
 - (c) completely destroyed by burial or incineration, or
 - (d) with prior approval from the permit issuing office, donated to persons authorized by permit or regulation to possess them.

8. A subpermittee is an individual to whom you have provided written authorization to conduct some or all of the permitted activities in your absence. Subpermittees must be at least 18 years of age. As the permittee, you are legally responsible for ensuring that your subpermittees are adequately trained and adhere to the terms of your permit. You are responsible for maintaining current records of who you have designated as a subpermittee, including copies of designation letters you have provided.
9. You and any subpermittees must carry a legible copy of this permit, *including these Standard Conditions*, and display it upon request whenever you are exercising its authority.
10. You must maintain records as required in 50 CFR 13.46 and 50 CFR 21.41. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.
11. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect any wildlife held, and to audit or copy any permits, books, or records required to be kept by the permit and governing regulations.
12. You may not conduct the activities authorized by this permit if doing so would violate the laws of the applicable State, county, municipal or tribal government or any other applicable law.

(DPRD - 12/3/2011)



DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE PERMIT

1 PERMITTEE

ALASKA DEPT. OF TRANSP. & PUBLIC FAC.
SOUTHEAST REGION - YAKUTAT AIRPORT
(ATTN: PAUL KHERA)
P.O. BOX 112506
JUNEAU, AK 99811-2506
U.S.A.

2 AUTHORITY-STATUTES
16 USC 668a

REGULATIONS
50 CFR 13
50 CFR 22.23
50 CFR 22.27

3 NUMBER
MB179831-1 AMENDMENT

4 RENEWABLE
☒ YES
☐ NO

5 MAY COPY
☒ YES
☐ NO

6 EFFECTIVE
09/30/2013

7 EXPIRES
04/01/2018

8 NAME AND TITLE OF PRINCIPAL OFFICER (If not a business)

PAUL KHERA
REGIONAL AIRPORT SAFETY/SECURITY OFFICER

9 TYPE OF PERMIT

PURPOSEFUL EAGLE TAKE FOR SAFETY / EAGLE NEST TAKE

10 LOCATION WHERE AUTHORIZED ACTIVITY MAY BE CONDUCTED

STATE OPERATED AIRPORT IN YAKUTAT

11 CONDITIONS AND AUTHORIZATIONS

A. GENERAL CONDITIONS SET OUT IN SUBPART D OF 50 CFR 13, AND SPECIFIC CONDITIONS CONTAINED IN FEDERAL REGULATIONS CITED IN BLOCK #2 ABOVE, ARE HEREBY MADE A PART OF THIS PERMIT. ALL ACTIVITIES AUTHORIZED HEREIN MUST BE CARRIED OUT IN ACCORD WITH AND FOR THE PURPOSES DESCRIBED IN THE APPLICATION SUBMITTED. CONTINUED VALIDITY, OR RENEWAL, OF THIS PERMIT IS SUBJECT TO COMPLETE AND TIMELY COMPLIANCE WITH ALL APPLICABLE CONDITIONS, INCLUDING THE FILING OF ALL REQUIRED INFORMATION AND REPORTS.

B. THE VALIDITY OF THIS PERMIT IS ALSO CONDITIONED UPON STRICT OBSERVANCE OF ALL APPLICABLE FOREIGN, STATE, LOCAL, TRIBAL, OR OTHER FEDERAL LAW.

C. VALID FOR USE BY PERMITTEE NAMED ABOVE.

E. This permit is only valid with authorization from Alaska Department of Fish and Game. Contact:

Alaska Department of Fish and Game
Division of Wildlife Conservation
PO Box 115526
Juneau, AK 99811-5526
(907)465-4148
DFG.dwc.permits@alaska.gov

F. (50 CFR 22.23) You are authorized to use non-lethal scare devices and scare tactics to move or disperse bald eagles endangering human safety due to high potential of a serious bird strike to aircraft including the use of airhorns, pyrotechnics, vehicle horns, and other visual and audible hazing devices. Pyrotechnics must not be shot directly at bald eagles.

(50 CFR 22.27) You are authorized to remove two inactive bald eagle nests adjacent to the Yakutat Airport runway (59° 30'24"N, 139°30'26"W and 59°29'48"N, 139°41'17"W - WGS84) to ensure public health and safety. An inactive eagle nest is defined as any nest not currently in use by eagles as determined by the continuing absence of any adult, egg, or dependent young at the nest for at least 10 consecutive days immediately prior to, and including, at present. Potential impacts to bald eagles include the permanent loss of two breeding territories.

☒ ADDITIONAL CONDITIONS AND AUTHORIZATIONS ALSO APPLY

12 REPORTING REQUIREMENTS

You must submit an annual to your Regional Migratory Bird Permit Office report each year, even if you had no activity.

ISSUED BY

Richard Sanit

TITLE

CHIEF, DIVISION OF MIGRATORY BIRD MANAGEMENT - REGION 7
Acting

DATE

09/30/2013

FAA AIRPORTS APPROVAL
NEW ALL DATE 3 OCT 13

G. You must comply with all avoidance, minimization, or other mitigation measures prescribed by the permit issuing office, including:

- i. As authorized under "Condition F" of this permit, continue to harass eagles in order to discourage eagles from re-nesting on Yakutat Airport property.
- ii. You must make a continuous effort to eliminate attractants and other physical properties that may draw eagles to airport property.
- iii. Destroy any new, partially constructed, bald eagle nests on Yakutat Airport property to discourage eagles from re-nesting near the runway. You must ensure partially constructed nests are unoccupied by any adult, egg, or dependent young prior to their removal.
- iv. Maintain and implement a current FAA approved Wildlife Hazard Management Plan.

H. You must cooperate with the U.S. Fish and Wildlife Service to determine fates of displaced eagles by providing USFWS personnel and/or their contractors or partners:

- i. access to airport property for purposes of trapping, marking, and monitoring the nesting pairs or other eagles deemed by the UFWS to be germane to the study (i.e., "control" birds);
- ii. wildlife interaction and harassment data associated with the Yakutat Airport; and
- iii. assistance (as requested and reasonable) with the capture and marking of the affected pairs to facilitate their subsequent identification.

I. (50 CFR 22.23) You must submit a report of depredation activities conducted under this permit to the migratory bird permit issuing office by the due date specified on the face of the permit. The report form, 3-202-11, is available at <http://www.fws.gov/forms/3-202-11.pdf>.

(50 CFR 22.27) You must submit a report of nest removal activities conducted under this permit to the migratory bird permit issuing office within 10 days following completion of nest removal or of the expiration of this permit, whichever occurs first. Form 3-202-16 (Eagle Nest Take Report) can be found online at <http://www.fws.gov/forms/3-202-16.pdf>. Submit reports to:

**U.S. Fish and Wildlife Service
Migratory Bird Management M-S 201
1011 E Tudor Road
Anchorage, AK 99503, 907-786-3503**

J. During nest removal activities, you are authorized to salvage any eagle carcasses, feathers and parts including nonviable eggs found in or around the nest. All eagle carcasses must be immediately frozen and shipped along with molted feathers and parts within 10 days of salvage to the National Eagle Repository. All eagle carcasses, molted feathers and parts should be shipped via priority mail Monday - Wednesday. Contact: **U.S. Fish and Wildlife Service National Eagle and Wildlife Repository, 5650 Havana St., Building 128, RMA, Commerce City, Colorado, 80022, (303) 287-2110.**

Nonviable eagle eggs must be delivered to the Migratory Bird Management Office of the U.S. Fish and Wildlife Service. **Contact: Stephen B. Lewis, Migratory Bird Management, U.S. Fish and Wildlife Service, 3000 Vintage Boulevard, Suite 201, Juneau, Alaska 99801, (907) 780-1163.**

K. Nests or parts of nests must be destroyed by burial or incineration or donated to a qualified public educational or scientific institution as defined in 50 CFR 10.12 and approved by the your migratory bird permit issuing office.

L. You may delegate the authority granted in this permit to the following subpermittee(s): any other person who is (1) employed by or under contract to you for the activities specified in this permit, or (2) otherwise designated a subpermittee by you in writing. Any subpermittee who has been delegated this authority may not re-delegate to another individual/business.

M. Subpermittees must be at least 18 years of age. You are responsible for ensuring that your subpermittees are qualified to perform the work and adhere to the terms of your permit. You are also responsible for maintaining current records of designated subpermittees. As the permittee, you are ultimately legally responsible for compliance with the terms and conditions of this permit and that responsibility may not be delegated.

N. You and any subpermittees must comply with the attached Standard Conditions for Migratory Bird Depredation Permits.

These standard conditions are a continuation of your permit conditions and must remain with your permit.

O. You and any subpermittees must carry a legible copy of this permit and display it upon request whenever exercising its authority.

P. This permit does not authorize lethal take or injury of eagles or eggs, nor does it authorize take of the nest in the event an eagle, eagle chick, or egg, occupies the nest in the 10 days prior to nest removal.

Q. You shall notify the issuing office at **907-786-3503** or **907-786-3693** within 48 hours regarding any injury or death occurring to any bald eagle during project activities. You must immediately arrange transport of any injured eagle to the **Bird Treatment and Learning Center located at 6132 Nielsen Way, Anchorage, AK 99518 (907-562- 4852)** or the Juneau Raptor Center (**907-790-5424** or **907-586-8393** or by emergency pager at **907-790-5424**).

R. All of the provisions and conditions of the governing regulations at 50 CFR part 13 and 50 CFR 22.27 are conditions of your permit. Failure to comply with the conditions of your permit could be cause for suspension of the permit and/or citation. For copies of the regulations, visit: www.fws.gov/permits/mbpermits/birdbasics.html.

S. This permit does not authorize you to conduct activities on Federal, State, Tribal, or other public or private property without additional prior written permits or permission from the agency/landowner.

T. You must maintain records as required in 50 CFR 13.46. All records relating to the permitted activities must be kept at the location indicated in writing by you to the migratory bird permit issuing office.

U. Acceptance of this permit authorizes the U.S. Fish and Wildlife Service to inspect any wildlife held, and to audit or copy any permits, books or records required to be kept by the permit and governing regulations (50 CFR 13.46).

V. While the permit is valid and for up to 3 years after it expires, you must allow Service personnel, or other qualified persons designated by the Service, access to the bald eagle nest site location at any reasonable hour, and with reasonable notice from the Service, for purposes of monitoring eagles at the site.

W. Permittees and subpermittees operating under this permit may not take or disturb eagles contrary to the laws or regulations of any State, Tribal, or Municipal government, and none of the privileges of this authorization are valid unless the permittee possesses the appropriate State permits, or other authorizations, if required.

X. The U.S. Fish and Wildlife Service is not liable for any damage or injury to person(s), wildlife, or property that occurs as the result of carrying out the activities associated with this permit.

Y. The terms and conditions of this permit that are not specifically prescribed by regulations at 50 CFR parts 10, 13, and 22, should not be construed as precedent and are subject to revision for purposes of any future permit issued under this section.